

**CHESAPEAKE BAY  
PRESERVATION  
AREA  
ORDINANCE  
FOR  
RICHMOND  
COUNTY  
VIRGINIA**

This Ordinance was duly considered, following a required public hearing held on September 13, 1990, and was adopted by a unanimous vote of the Board of Supervisors of Richmond County, Virginia, at its regular meeting held on September 13, 1990. This Ordinance shall be effective on and after 12:01 a.m., September 20, 1990.

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## ARTICLE 1: GENERAL PROVISIONS

### 1-1 TITLE

This ordinance shall be known and referenced as the "Chesapeake Bay Preservation Area Ordinance for Richmond County, Virginia".

### 1-2 FINDINGS OF FACT

The Chesapeake Bay is one of the most important and productive estuaries in the world, providing economic and social benefits to the citizens of Richmond County and the Commonwealth of Virginia. The health of the Bay is vital to maintaining Richmond County's economy and the welfare of its citizens. Economic development and water quality protection not only may co-exist, they must.

The Chesapeake Bay waters have been degraded significantly by several factors including nonpoint source pollution from land uses and development along the shores of the Bay and its tributaries. Existing high quality waters are worthy of protection from degradation to guard against further pollution. Certain lands that are proximate to shorelines have intrinsic water quality value due to the ecological and biological processes they perform. Other lands have severe development constraints from flooding, erosion, and soil limitations. With proper management, they offer significant ecological benefits by providing water quality maintenance and pollution control, as well as flood and shoreline erosion control. These lands together, designated by Richmond County as Chesapeake Bay Preservation Areas (hereinafter "CBPAs"), need to be protected from destruction and damage in order to protect the quality of water in the Bay and consequently the quality of life in Richmond County and the Commonwealth of Virginia.

### 1-3 PURPOSE AND INTENT

A. This ordinance is enacted to implement the requirements of Section 10.1-2100 et seq. of the Code of Virginia (The Chesapeake Bay Preservation Act). The intent of the Richmond County Board of Supervisors and the purpose of this Ordinance is to: (1) protect existing high quality state waters; (2) restore all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them; (3) safeguard the clean waters of the Commonwealth from pollution; (4) prevent any increase in pollution; (5) reduce existing pollution; and (6) promote water resource conservation in order to provide for the health, safety, and welfare of the present and future citizens of Richmond County.

B. These regulations and procedures shall be in addition to and shall accompany all other land use ordinance requirements so that any parcel of land lying in the Chesapeake Bay Preservation Area shall be governed by this Ordinance. Unless otherwise stated in this

Ordinance, the review and approval procedures provided for in the Subdivision, Erosion and Sediment Control, Wetlands, and Flood Plain Management Ordinances as adopted by Richmond County, shall be followed in reviewing and approving development, redevelopment, and uses governed by this Ordinance.

1-4            PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

In the interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. When ever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the more restrictive or that imposing the higher standards shall govern.

1-5            REPEAL OF CONFLICTING ORDINANCES

All Richmond County ordinances or parts of ordinances in conflict with, or inconsistent with, the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

1-6            SEPARABILITY

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1-7            EFFECTIVE DATE

This ordinance shall be in full force and effect on and after 12:01 a.m. on September 20, 1990.

1-8            ENACTING AUTHORITY

This Ordinance is enacted under the authority of Section 10.1-2100 et seq. (The Chesapeake Bay Preservation Act).

## ARTICLE 2: DEFINITIONS

### 2-1 INTERPRETATION OF TERMS OR WORDS

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

A. The present tense includes the future tense, the singular number includes the plural, and plural includes the singular;

B. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement;

C. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied";

D. The word "lot" includes the words "plot" or "parcel".

### 2-2 DEFINITIONS

The following words and terms used in this Ordinance have the following meanings, unless the context clearly indicates otherwise.

Agricultural lands - those lands used for the planting and harvesting of crops or plant growth of any kind in the open; pasture; horticulture; dairying; floriculture; or raising of poultry and/or livestock.

Best Management Practices (BMP's) - a practice, or a combination of practices, that is determined by a state or designated area-wide planning agency to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

Beach - the zone of sedimentary material that extends landward from mean high water level to the place where there is marked change in material of form, or the line of permanent vegetation.

Buffer area - an area of natural or established vegetation managed to protect other components of a Resource Protection Area and state waters from significant degradation due to disturbances.

Chesapeake Bay Preservation Area (CBPA) - any land designated by the Richmond County Board of Supervisors pursuant to part III of the Chesapeake Bay Preservation Area Designation and Management Regulations, VR 173-02-01, and Section 10.1-2107 of the Code of Virginia, 1950, as amended. A Chesapeake Bay Preservation Area shall consist of a Resource Protection Area and a Resource Management Area.

Construction footprint - the area of all impervious surface including, but not limited to, buildings, roads and drives, parking areas, and sidewalks and area necessary for construction of such improvements.

Development - the construction, or substantial alteration, of residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures.

Diameter at breast height (DBH) - the diameter of a tree measured outside the bark at a point 4.5 feet above the ground.

Dripline - a vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.

Flood plain - those areas of Richmond County subject to inundation by water of the one hundred (100) year flood as described by the Flood Insurance Study for Richmond County and shown on the Flood Insurance Rate Map series, both prepared by the Federal Emergency Management Agency and dated March 16, 1989.

Impervious cover - a surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to: roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

Intensely Developed Areas (IDA's) - a portion of a Resource Protection Area or Resource Management Area designated by the Richmond County Board of Supervisors where development is concentrated and little of the natural environment remains.

Nonpoint source pollution - pollution consisting of constituents such as sediment, nutrients, and organic and toxic substances from diffuse sources, such as run-off from agricultural and urban land development and use.

Nontidal wetlands - those wetlands other than tidal wetlands that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to Section 404 of the Federal Clean Water Act, in 33 C.F.R. 328.3b, dated November 13, 1986.

Noxious weeds - weeds that are difficult to control effectively, such as Johnson Grass, Kudzu, and multiflora rose.

Plan of Development - the process for site plan or subdivision plat review to ensure compliance with Section 10.1-2109 of the Code of Virginia and this Ordinance, prior to any clearing or grading of a site or the issuance of a building permit.

Pond - an inland body of water of either artificial or natural construction not connected by surface flow or contiguous to tidal waters.

Resource Management Area (RMA) - that component of the Chesapeake Bay Preservation Area not classified as the Resource Protection Area. RMA's include land types that, if improperly used or developed, have the potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area.

Resource Protection Area (RPA) - that component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state waters.

Tidal shore or shore - land contiguous to a tidal body of water between the mean low water level and the mean high water level.

Tidal wetlands - vegetated and nonvegetated wetlands as defined in Section 62.1-13.2 of the Code of Virginia, 1950, as amended.

Tributary stream - any perennial stream that is so depicted on the most recent U.S. Geological Survey 7-1/2 minute topographic quadrangle map (scale 1:24,000).

Vegetation - area of natural or established ground cover which allows the natural infiltration of water into the soil. Vegetated buffer areas shall include, but are not limited to those areas of any plant material, grassy ground cover, woody vegetation, bush and shrubs, etc.

Water-dependent facility - a development of land that cannot exist outside of the Resource Protection Area and must be located on the shoreline by reason of the intrinsic nature of its operation. These facilities include, but are not limited to: (1) ports; (2) the intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers; (3) marinas and other boat docking structures; (4) beaches and other public water-oriented recreation areas; and (5) fisheries or other marine resources facilities.

Wetlands - tidal and nontidal wetlands.



### ARTICLE 3: AREAS OF APPLICABILITY

#### 3-1 MAPS

The Chesapeake Bay Preservation Area Ordinance shall apply to all lands identified as CBPA's as designated by the Richmond County Board of Supervisors and as shown on the Richmond County Chesapeake Bay Preservation Area Map. The Richmond County Chesapeake Bay Preservation Area Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

#### 3-2 RESOURCE PROTECTION AREA (RPA)

The Resource Protection Area, as delineated on the Richmond County Chesapeake Bay Preservation Area Map, includes:

- A. Tidal wetlands;
- B. Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or tributary streams;
- C. Tidal shores;
- D. A 100-foot vegetated buffer area located adjacent to and landward of the component listed in subsections A-C above, and along both sides of any tributary stream.

#### 3-3 RESOURCE MANAGEMENT AREA (RMA)

The Resource Management Area shall include all areas of Richmond County not included in the Resource Protection Area. These areas include land types that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. The following land categories were considered by Richmond County in establishing the Resource Management Area:

- A. Floodplains;
- B. Highly erodible soils, including steep slopes;
- C. Highly permeable soils;
- D. Nontidal wetlands not included in the Resource Protection Area ;
- E. Other lands adjacent to or in close proximity to lands aforementioned in this paragraph which are necessary to protect the quality of state waters.

#### 3-4 GENERAL LOCATION (CBPA)

The Richmond County Chesapeake Bay Preservation Area Map shows the general location of CBPA's and should be consulted by persons contemplating activities within Richmond County prior to engaging in a regulated activity.

#### 3-5 INTENSELY DEVELOPED AREAS

Portions of RPA's and RMA's designated by the Richmond County Board of Supervisors as Intensely Developed Areas shall serve as redevelopment areas. Areas so designated shall comply with all erosion and sediment control requirements and the performance standards for redevelopment in Article 7 (Performance Standards).

3-6            APPLICABILITY TO PORTION OF LOT

If the boundaries of a CBPA include a portion of a lot, parcel, or development project, the entire lot, parcel, or development project shall comply with the requirements of this Ordinance. The division of property shall not constitute an exemption from this requirement.

ARTICLE 4: USE REGULATIONS, LOT SIZE,  
CONFLICT WITH OTHER REGULATIONS

4-1 USE REGULATIONS

Permitted uses, special permit uses, accessory uses, and special requirements shall be as established by adopted land use regulation or ordinance, unless specifically modified by the requirements set forth herein.

4-2 LOT SIZE

Lot size shall be subject to the requirements of adopted land use regulations and ordinance, provided that any lot shall have sufficient area outside the RPA to accommodate an intended development, in accordance with the performance standards in Article 6, when such development is not otherwise allowed in the RPA.

4-3 CONFLICT WITH OTHER REGULATIONS

In any case where the requirements of the Ordinance conflict with any other adopted land use regulations of Richmond County or existing state or federal regulations, whichever imposes the more stringent restrictions shall apply.

## ARTICLE 5: REQUIRED CONDITIONS

### 5-1 PLAN OF DEVELOPMENT REQUIRED

All development and redevelopment exceeding 2500 square feet of land disturbance shall be subject to a plan of development process, including the approval of a site plan in accordance with the provisions of the Richmond County Site Plan Ordinance or a subdivision plat in accordance with the Richmond County Subdivision Ordinance.

### 5-2 DEVELOPMENT IN RESOURCE PROTECTION AREA

Development in RPA's may be allowed only if it: (1) is water-dependent; or (2) constitutes redevelopment.

### 5-3 WATER QUALITY IMPACT ASSESSMENT REQUIRED

A water quality impact assessment shall be required for any proposed development or redevelopment within RPA's and for any development within RMA's when required by the Land Use Administrator because of the unique characteristics of the site or intensity of development, in accordance with the provisions of Article 8 (Water Quality Impact Assessment) of this Ordinance.

**ARTICLE 6: INTERPRETATION OF RESOURCE  
PROTECTION AREA BOUNDARIES**

**6-1 DELINEATION BY THE APPLICANT**

The site-specific boundaries of the Resource Protection Area shall ordinarily be determined by the applicant through the performance of an environmental site assessment, subject to approval by the Land Use Administrator and in accordance with Article 9 (Plan of Development) of this Ordinance. The Richmond County Chesapeake Bay Preservation Area Map shall be used as a guide to the general location of Resource Protection Areas.

**6-2 DELINEATION BY THE LAND USE ADMINISTRATOR**

The Land Use Administrator, when requested by an applicant wishing to construct a single family residence, may waive the requirement for an environmental site assessment and perform the delineation. The Land Use Administrator may use remote sensing, hydrology, soils, plant species, and other data, and consult other appropriate resources as needed to perform the delineation. If the Land Use Administrator is unable to accomplish an adequate delineation, the applicant may be required to provide a site-specific RPA boundary delineation.

**6-3 WHERE CONFLICT ARISES OVER DELINEATION**

Where the applicant has provided a site-specific delineation of the RPA, the Land Use Administrator will verify the accuracy of the boundary delineation. In determining the site-specific RPA boundary, the Land Use Administrator may render adjustments to the applicant's boundary delineation, in accordance with Article 9 (Plan of Development) of this Ordinance. In the event the adjusted boundary delineation is contested by the applicant, the applicant may seek relief, in accordance with the provisions of Article 9, Section 9-9 (Denial/Appeal of Plan) of this Ordinance.

## ARTICLE 7: PERFORMANCE STANDARDS

### 7-1 PURPOSE AND INTENT

The performance standards establish the means to minimize erosion and sedimentation potential, reduce land application of nutrients and toxics, and maximize rainwater infiltration. Natural ground cover, especially woody vegetation, is most effective in holding soil in place and preventing site erosion. Indigenous vegetation, with its adaptability to local conditions without the use of harmful fertilizers or pesticides, filters stormwater runoff. Minimizing impervious cover enhances rainwater infiltration and effectively reduces stormwater runoff potential.

The purpose and intent of these requirements are also to implement the following objectives: (1) prevent a net increase in nonpoint source pollution from new development; (2) achieve a 10% reduction in nonpoint source pollution from redevelopment; and (3) achieve a 40% reduction in nonpoint source pollution from agricultural uses.

### 7-2 GENERAL PERFORMANCE STANDARDS FOR DEVELOPMENT AND REDEVELOPMENT

7-2-1 Land disturbance shall be limited to the area necessary to provide for the desired use or development.

- a. In accordance with an approved site plan, the limits of land disturbance, including clearing or grading shall be strictly defined by the construction footprint. These limits shall be clearly shown on submitted plans and physically marked on the development site.
- b. The construction footprint shall not exceed 60% of the site.
- c. Ingress and egress during construction shall be limited to one access point, unless otherwise approved by the Land Use Administrator.

7-2-2 Indigenous vegetation shall be preserved to the maximum extent possible consistent with the use and development permitted and in accordance with the Virginia Erosion and Sediment Control Handbook.

- a. Existing trees over ten (10) inches diameter at breast height (DBH) shall be preserved outside the construction footprint. Diseased trees or trees weakened by age, storm, fire, or other injury may be removed. Normal woodlot management techniques that encourage optimum growth of remaining trees are allowed.

- b. Clearing shall be allowed only to provide necessary access, positive site drainage, water quality BMP's, and the installation of utilities, as approved by the Land Use Administrator.
  - c. Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected five (5) feet outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain so erected throughout all phases of construction. The storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.
- 7-2-3 Land development shall minimize impervious cover to promote infiltration of stormwater into the ground consistent with the use or development permitted.
- a. Grid and modular pavement use shall be encouraged for any required parking area, alley or other low traffic driveway.
  - b. Parking space size shall be the minimum necessary to safely accommodate the anticipated parking load.
- 7-2-4 Notwithstanding any other provisions of this Ordinance or exceptions or exemptions thereto, any land disturbing activity exceeding 2,500 square feet, including construction of all single-family houses, septic tanks, and drainfields, shall comply with the requirements of the Richmond County Erosion and Sediment Control Ordinance.
- 7-2-5 All on-site sewage disposal systems not requiring an VPDES permit shall be pumped out at least once every five (5) years, in accordance with the regulations of the Virginia Department of Health.
- 7-2-6 A reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be provided, in accordance with the regulations of the Virginia Department of Health. This requirement shall not apply to any lot recorded prior to October 1, 1989 if such lot is not sufficient in capacity to accommodate a reserve sewage disposal site, as determined by the local Health Department. Building or construction of any impervious surface shall be prohibited on the area of all sewage disposal sites or on an on-site sewage treatment system which operates under a permit issued by the State Water Control Board, until the structure is served by public sewer.
- 7-2-7 For any development or redevelopment, stormwater runoff shall be controlled by the use of best management practices that achieve the following:

- a. For development, the post-development nonpoint source pollution runoff load shall not exceed the pre-development load, based on the calculated average land cover condition for Virginia's Chesapeake Bay Watershed;
- b. For sites within IDA's or other isolated redevelopment sites, the nonpoint source pollution load shall be reduced by at least 10 percent. The Land Use Administrator may waive or modify this requirement for redevelopment sites that originally incorporated best management practices for stormwater runoff quality control, provided the following provisions are satisfied:
  - 1. In no case may the post-development nonpoint source pollution runoff load exceed the pre-development load;
  - 2. Runoff pollution loads must have been calculated and the BMP's selected for the expressed purpose of controlling nonpoint source pollution;
  - 3. If best management practices are structural, evidence shall be provided that facilities are currently in good working order and performing at the design levels of service. The Land Use Administrator may require a review of both the original structure design and maintenance plans to verify this provision. A new maintenance agreement may be required to ensure compliance with this Article;
- c. For redevelopment, both the pre- and post-development loadings shall be calculated by the same procedures. However, where the design data is available, the original post-development nonpoint source pollution loadings can be substituted for the existing development loadings.

7-2-8 Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetlands permits required by federal, state, and local laws and regulations shall be obtained and evidence of such submitted to the Land Use Administrator, in accordance with Article 9 (Plan of Development) of this Ordinance.

7-2-9 Land upon which agricultural activities are being conducted shall have a soil and water quality conservation plan. Such plan shall be based upon the Field Office Technical Guide of the U.S. Department of Agriculture Soil Conservation Service and accomplish water quality protection consistent with this Ordinance. Such a plan shall be approved by the local Soil and Water Conservation District by January 1, 1995.

7-3 BUFFER AREA REQUIREMENTS



To minimize the adverse effects of human activities on the other components of Resource Protection Areas, state waters, and aquatic life, a 100-foot buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist.

The buffer area shall be located adjacent to and landward of other RPA components and along both sides of any tributary stream. The full buffer area shall be designated as the landward component of the RPA, in accordance with Article 3 (Areas of Applicability) and Article 9 (Plan of Development) of this Ordinance.

The 100-foot buffer area shall be deemed to achieve a 75 percent reduction of sediments and a 40 percent reduction of nutrients. A combination of a buffer area not less than 50 feet in width and appropriate best management practices located landward of the buffer area which collectively achieve water quality protection, pollutant removal, and water resource conservation at least the equivalent of the full 100-foot buffer area may be employed in lieu of the 100-foot buffer if approved by the Land Use Administrator after consideration of the Water Quality Impact Assessment, in accordance with Article 8 (Water Quality Impact Assessment) of this Ordinance.

The buffer area shall be maintained to meet the following additional performance standards:

- 7-3-1 In order to maintain the functional value of the buffer area, indigenous vegetation may be removed only to provide for reasonable sight lines, access paths, general woodlot management, and best management practices, as follows:
- a. Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff;
  - b. Any path shall be constructed and surfaced so as to effectively control erosion;
  - c. Dead, diseased, or dying trees or shrubbery may be removed at the discretion of the landowner, and silvicultural thinning may be conducted based upon the best available technical information;
  - d. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

- 7-3-2 When the application of the buffer areas would result in the loss of a buildable area on a lot recorded prior to October 1, 1989, the Land Use Administrator may modify the width of the buffer area in accordance with Article 9 (Plan of Development) of this Ordinance and the following criteria:
- a. Modifications to the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities;
  - b. Where possible, an area equal to the area encroaching the buffer area shall be established elsewhere on the lot or parcel in a way to maximize water quality protection; and
  - c. In no case shall the reduced portion of the buffer area be less than 50 feet in width.
- 7-3-3 Redevelopment within IDA's may be exempt from the buffer area, in accordance with Article 9 (Plan of Development) of this Ordinance.
- 7-3-4 On agricultural lands the agricultural buffer area shall be managed to prevent concentrated flows of surface water from breaching the buffer area and noxious weeds from invading the buffer area. The agricultural buffer area may be reduced as follows:
- a. To a minimum width of 50 feet when the adjacent land is implementing a federal, state, or locally funded agricultural best management practices program, provided that the combination of the reduced buffer area and the best management practices achieve water quality protection, pollutant removal, and water resource conservation at least the equivalent of the 100 foot buffer area;
  - b. To a minimum of 25 feet when a soil and water quality conservation plan, as approved by the local Soil and Water Conservation District, has been implemented on the adjacent land. Such plan shall be based upon the Field Office Technical Guide of the U.S. Department of Agriculture Soil Conservation Service and accomplish water quality protection consistent with this Ordinance;
  - c. The buffer area is not required for agricultural drainage ditches if the adjacent agricultural land has in place best management practices in accordance with a conservation plan approved by the local Soil and Water Conservation District.

## ARTICLE 8: WATER QUALITY IMPACT ASSESSMENT

### 8-1 PURPOSE

The purpose of the water quality impact assessment is to:

- (i) identify the impacts of proposed development on water quality and lands within RPA's and other environmentally sensitive lands;
- (ii) ensure that, where development does take place within RPA's and other sensitive lands, it will be located on those portions of a site and in a manner that will be least disruptive to the natural functions of RPA's and other sensitive lands;
- (iii) to protect individuals from investing funds for improvements proposed for location on lands unsuited for such development because of high ground water, erosion, or vulnerability to flood and storm damage; and
- (iv) specify mitigation which will address water quality protection.

### 8-2 WATER QUALITY IMPACT ASSESSMENT REQUIRED

A water quality impact assessment is required for (i) any proposed development within an RPA, including any buffer area modification or reduction as provided for in Article 7 (Performance Standards) and Article 12 (Exceptions) of this Ordinance; (ii) any development in a RMA as deemed necessary by the Land Use Administrator due to the unique characteristics of the site or intensity of the proposed development. There shall be two levels of water quality impact assessments: a minor assessment and a major assessment.

### 8-3 MINOR WATER QUALITY IMPACT ASSESSMENT

A minor water quality impact assessment pertains only to development within the CBPAs which causes no more than 5,000 square feet of land disturbance and requires any modification or reduction of the landward 50 feet of the 100 foot buffer area. A minor assessment must demonstrate through acceptable calculations that the remaining buffer area and necessary best management practices will result in removal of no less than 75 percent of sediments and 40 percent of nutrients from post-development stormwater run-off. A minor assessment shall include a site drawing to scale which shows the following:

- A. Location of the components of the RPA, including the 100-foot buffer area;
- B. Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;
- C. Type and location of proposed best management practices to mitigate the proposed encroachment.

A major water quality impact assessment shall be required for any development which (i) exceeds 5,000 square feet of land disturbance within CBPA's and requires any modification or reduction of the landward 50 feet of the 100-foot buffer area; (ii) disturbs any portion of any other component of an RPA or disturbs any portion of the buffer area within 50 feet of any other component of an RPA; or (iii) is located in an RMA and is deemed necessary by the Land Use Administrator. The information required in this Section shall be considered a minimum, unless the Land Use Administrator determines that some of the elements are unnecessary due to the scope and nature or the proposed use and development of the land.

The following elements shall be included in the preparation and submission of a major water quality assessment:

- 8-4-1 All of the information required in a minor water quality impact assessment;
- 8-4-2 A hydrogeological element that:
  - a. Describes the existing topography, soils, hydrology and geology of the site and adjacent lands;
  - b. Describes the impacts of the proposed development on topography, soils, hydrology and geology on the site and adjacent lands;
  - c. Indicates the following:
    - 1. Disturbance or destruction of wetlands and justification for such action;
    - 2. Disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers or other water bodies;
    - 3. Disruptions to existing hydrology including wetland and stream circulation patterns;
    - 4. Source location and description of proposed fill material;
    - 5. Location of dredge material and location of dumping area for such materials;
    - 6. Location of and impacts on shellfish beds, submerged aquatic vegetation, and fish spawning areas;
    - 7. Estimation of pre- and post-development pollutant loads in run-off;

8. Estimation of percent increase in impervious surface on site and type(s) of surfacing materials used;
  9. Percent of site to be cleared for project;
  10. Anticipated duration and phasing schedule of construction project;
  11. Listing of all requisite permits from all applicable agencies necessary to develop project.
- d. Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:
1. Proposed erosion and sediment control concepts; concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of run-off velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;
  2. Proposed stormwater management system;
  3. Creation of wetlands to replace those lost;
  4. Minimize cut and fill.

8-4-3 A landscape element that:

- a. Identifies and delineates the location of all significant plant material, including all trees on site ten (10) inches or greater DBH. Where there are groups of trees, stands may be outlined.
- b. Describes the impacts the development or use will have on the existing vegetation. Information should include:
  1. General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities;
  2. Clear delineation of all trees which will be removed;
  3. Description of plant species to be disturbed or removed.
- c. Describes the potential measures for mitigation. Possible mitigation measures include:
  1. Replanting schedule for trees and other significant vegetation removed for construction,

including a list of possible plants and trees to be used;

2. Demonstration that the design of the plan will preserve to the greatest extent possible any significant trees and vegetation on the site and will provide maximum erosion control and overland flow benefits from such vegetation;
3. Demonstration that indigenous plants are to be used to the greatest extent possible.

8-4-4 A wastewater element, where applicable, that:

- a. Includes calculations and locations of anticipated drainfield or wastewater irrigation areas;
- b. Provides justification for sewer line locations on environmentally sensitive areas, where applicable, and describes construction techniques and standards;
- c. Discusses any proposed on-site collection and treatment systems, their treatment levels, and impacts on receiving watercourses;
- d. Describes the potential impacts of the proposed wastewater systems, including the proposed mitigative measures for these impacts.

8-4-5 Identification of the existing characteristics and conditions of sensitive lands included as components of the Chesapeake Bay Preservation Areas, as defined in this Ordinance.

8-4-6 Identification of the natural processes and ecological relationships inherent in the site, and an assessment of the impact of the proposed use and development of land on these processes and relationships.

#### 8-5 SUBMISSION AND REVIEW REQUIREMENTS

8-5-1 Five copies of all site drawings and other applicable information as required by subsections 8-2 and 8-3 above shall be submitted to the Land Use Administrator for review.

8-5-2 All information required in this section shall be certified as complete and accurate by a professional engineer or a certified surveyor.

8-5-3 A minor water quality impact assessment shall be prepared and submitted to and reviewed by the Land Use Administrator in conjunction with a site plan.

8-5-4 A major water quality impact assessment shall be prepared and submitted to and reviewed by the Land Use Administrator in conjunction with a request for rezoning, special exceptions permit, conditional use permit, or in conjunction with Article 9 (Plan of Development) of this Ordinance as deemed necessary by the Land Use Administrator.

8-5-5 As part of any major water quality impact assessment submittal, the Land Use Administrator may require review by the Chesapeake Bay Local Assistance Department (CBLAD). Upon receipt of a major water quality impact assessment, the Land Use Administrator will determine if such review is warranted and may request CBLAD to review the assessment and respond with written comments. Any comments by CBLAD will be incorporated into the final review by the Land Use Administrator, provided that such comments are provided by CBLAD within 90 days of the request.

#### 8-6 EVALUATION PROCEDURE

8-6-1 Upon the complete review of a minor water quality impact assessment, the Land Use Administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this Ordinance and make a finding based upon the following criteria:

- a. The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;
- b. Impervious surface is minimized;
- c. Proposed best management practices, where required, achieve the requisite reductions in pollutant loadings;
- d. The development, as proposed, meets the purpose and intent of this Ordinance;
- e. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.

8-6-2 Upon the completed review of a major water quality impact assessment, the Land Use Administrator will determine if the proposed development is consistent with the purpose and intent of this Ordinance and make a finding based upon the following criteria in conjunction with Article 9 (Plan of Development) of this Ordinance:

- a. Within any RPA, the proposed development is water-dependent;

- b. The disturbance of wetlands will be minimized;
- c. The development will not result in significant disruption of the hydrology of the site;
- d. The development will not result in significant degradation to aquatic vegetation or life;
- e. The development will not result in unnecessary destruction of plant materials on site;
- f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in run-off and prevent off-site sedimentation;
- g. Proposed stormwater management concepts are adequate to control the stormwater run-off to achieve the required standard for pollutant control;
- h. Proposed revegetation of disturbed areas will provide optimum erosion and sediment control benefits;
- i. The design and location of any proposed drainfield will be in accordance with the requirements with this Ordinance;
- j. The development, as proposed, is consistent with the purpose and intent of this Ordinance;
- k. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.

8-6-3 The Land Use Administrator shall require additional mitigation where potential impacts have not been adequately addressed. Evaluation of mitigation measures will be made by the Land Use Administrator on the criteria listed above in subsections 8-6-1 and 8-6-2.

8-6-4 The Land Use Administrator shall find the proposal to be inconsistent with the purpose and intent of this Ordinance when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the Land Use Administrator based on the criteria listed above in subsections 8-6-1 and 8-6-2



## ARTICLE 9: PLAN OF DEVELOPMENT PROCESS

### 9-1 PLAN OF DEVELOPMENT REQUIRED

Any development or redevelopment exceeding 2500 square feet of land disturbance shall be accomplished through a plan of development process prior to any clearing or grading of the site or the issuance of any building permit, to assure compliance with all applicable requirements of this Ordinance.

### 9-2 REQUIRED INFORMATION

In addition to the requirements of the Richmond County Site Plan Ordinance or the requirements of the Richmond County Subdivision Ordinance, the plan of development process shall consist of the plans and studies identified below. These required plans and studies may be coordinated or combined, as deemed appropriate by the Land Use Administrator. The Land Use Administrator may determine that some of the following information is unnecessary due to the scope and nature of the proposed development.

The following plans or studies shall be submitted, unless otherwise provided for:

- 9-2-1 A site plan in accordance with the provisions of the Richmond County Site Plan Ordinance or a subdivision plat in accordance with the provisions of the Richmond County Subdivision Ordinance;
- 9-2-2 An environmental site assessment;
- 9-2-3 A landscape plan;
- 9-2-4 A stormwater management plan;
- 9-2-5 An erosion and sediment control plan in accordance with the provisions of the Richmond County Erosion and Sediment Control Ordinance.

### 9-3 ENVIRONMENTAL SITE ASSESSMENT

An environmental site assessment shall be required by the Land Use Administrator in order to determine the boundaries of any environmentally sensitive features located on the property.

- 9-3-1 The environmental site assessment shall be drawn to the same scale as the preliminary site plan or subdivision plat and shall clearly delineate the following environmental features:
  - a. Tidal wetlands;
  - b. Tidal shores;

- c. Nontidal wetland connected by surface flow and contiguous to tidal wetlands or tributary streams;
- d. A 100-foot vegetated buffer area located adjacent to and landward of the components listed in subsections a. through c. above, and along both sides of any tributary stream;
- e. Other sensitive environmental features as determined by the Land Use Administrator.

9-3-2 Wetlands delineations shall be performed consistent with the procedures specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1989.

9-3-3 The environmental site assessment shall delineate the site specific geographic extent of the RPA.

9-3-4 The environmental site assessment shall be certified as complete and accurate by a professional engineer, a certified land surveyor or a certified landscape architect. This requirement may be waived by the Land Use Administrator when the proposed use of development would result in less than 5,000 square feet of disturbed area.

#### 9-4 LANDSCAPE PLAN

A landscape plan shall be required by the Land Use Administrator to determine the extent of proposed clearing and grading and the types and amount of existing and proposed vegetation. No clearing or grading of any lot or parcel shall be permitted without an approved landscape plan.

Landscape plans shall be prepared and/or certified by design professionals practicing within their areas of competence as prescribed by the Code of Virginia, 1950, as amended.

##### 9-4-1 Contents of the Plan:

- a. The landscape plan shall be drawn to scale and clearly delineate the location, size, and description of existing and proposed plant material. All existing trees on the site ten (10) inches or greater DBH shall be shown on the landscape plan. Where there are groups of trees, stands may be outlined instead. The specific number of trees ten (10) inches or greater DBH to be preserved outside of the construction footprint shall be indicated on the plan. Trees to be removed to create a desired construction footprint shall be clearly delineated on the landscape plan.
- b. Any required buffer area shall be clearly delineated and any plant material to be added to establish or supplement

the buffer area, as required by this Ordinance or the Zoning Ordinance, shall be shown on the landscape plan.

- c. Within the buffer areas, trees to be removed for sight lines, vistas, access paths, and best management practices, as provided for in this Ordinance, shall be shown on the plan. Vegetation required by this Ordinance to replace any existing trees within the buffer area shall also be shown on the landscape plan.
- d. Trees to be removed for shoreline stabilization projects and any replacement vegetation required by this Ordinance shall be shown on the landscape plan.
- e. The plan shall depict grade changes or other work adjacent to trees which would affect them adversely. Specifications shall be provided as to how grade, drainage, and aeration would be maintained around trees to be preserved.
- f. The landscape plan will include specifications for the protection of existing trees during clearing, grading, and all phases of construction.

9-4-2 Plant Specifications:

- a. All plant materials necessary to supplement the buffer area or vegetated areas outside the construction footprint shall be installed according to standard planting practices and procedures.
- b. All supplementary or replacement plant materials shall be living and in a healthy condition. Plant materials shall conform to the standards for the most recent edition of the American Standard for Nursery Stock, published by the American Association of Nurserymen.
- c. Where areas to be preserved, as designated on an approved landscape plan, are encroached, replacement of existing trees and other vegetation will be achieved at a ratio of three (3) planted trees to one (1) removed. Replacement trees shall be a minimum three and one half (3.5) inches DBH at the time of planting.

9-4-3 Maintenance

- a. The applicant shall be responsible for the maintenance and replacement of all vegetation as may be required by the provisions of this Ordinance.
- b. In buffer areas and areas outside the construction footprint, plant material shall be tended and maintained in a healthy growing condition and free from refuse and debris. Unhealthy, dying, or dead plant materials shall be

replaced during the next planting season, as required by the provisions of this Ordinance.

#### 9-5 STORMWATER MANAGEMENT PLAN

A stormwater management plan shall be submitted as part of the plan of development process required by this Article and in conjunction with site plan or subdivision plan approval.

##### 9-5-1 Contents of the Plan

The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, and citations to supporting references as appropriate to communicate the information required by this Article. At a minimum, the stormwater management plan must contain the following:

- a. Location and design of all planned stormwater control devices;
- b. Procedures for implementing non-structural stormwater control practices and techniques;
- c. Pre- and post-development nonpoint source pollutant loadings with supporting documentation of all utilized coefficients and calculations;
- d. For facilities, verification of structural soundness, including a Professional Engineer or Class IIIB Surveyor Certification.

9-5-2 Site specific facilities shall be designed for the ultimate development of the contributing watershed based on zoning, comprehensive plans, local public facility master plans, or other similar planning documents.

9-5-3 All engineering calculations must be performed in accordance with procedures outlined in the current edition of the Local Assistance Manual, Virginia Erosion and Sediment Control Handbook, Virginia Department of Transportation Drainage Manual, or any other good engineering methods deemed appropriate by the Land Use Administrator.

9-5-4 The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities that includes all maintenance requirements and persons responsible for performing maintenance. If the designated maintenance responsibility is with a party other than the Board of Supervisors, then a maintenance agreement shall be executed between the responsible party and the Board of Supervisors.

9-6

#### EROSION AND SEDIMENT CONTROL PLAN

An erosion and sediment control plan shall be submitted that satisfies the requirements of this Article and is in accordance with the Richmond County Erosion and Sediment Control Ordinance, in conjunction with the site plan or subdivision plan approval.

9-7

#### FINAL PLAN

Final plans for property shall be final plats for land to be subdivided or site plans for land not to be subdivided as required by the Richmond County Site Plan Ordinance.

9-7-1

Final plans shall include information shown on the preliminary site plan and the additional information:

- a. The delineation of the Resource Protection Area boundary;
- b. The delineation of the required buffer areas;
- c. All wetlands permits required by law;
- d. A maintenance agreement as deemed necessary and appropriate by the Land Use Administrator to ensure proper maintenance of best management practices in order to continue their functions.

9-7-2

Installation and bonding requirements.

- a. Where buffer areas, landscaping, stormwater management facilities or other specifications of an approved plan are required, no Certificate of Occupancy shall be issued until the installation of required plant materials or facilities is completed, in accordance with the approved site plan.
- b. When the occupancy of a structure is desired prior to the completion of the required landscaping, stormwater management facilities, or other specifications of an approved plan, a Certificate of Occupancy may be issued only if the applicant provides to the Board of Supervisors a form of surety satisfactory to the Land use Administrator in an amount equal to the remaining plant materials, related materials, and installation costs of the required landscaping or facilities and/or maintenance costs for any required stormwater management facilities during the construction period.
- c. All required landscaping shall be installed and approved by the first planting season following issuance of a Certificate of Occupancy or the surety may be forfeited to the Board.

- d. All required stormwater management facilities or other specifications shall be installed and approved within 18 months of project commencement. Should the applicant fail, after proper notice, to initiate, complete or maintain appropriate actions required by the approved plan, the surety may be forfeited to the Board. The Board may collect from the applicant the amount by which the reasonable cost of required actions exceeds the amount of the surety held.
- e. After all required actions of the approved site plan have been completed, the applicant must submit a written request for a final inspection. If the requirements of the approved plan have been completed to the satisfaction of the Land Use Administrator, such unexpended or unobligated portion of the surety held shall be refunded to the applicant or terminated within 60 days following the receipt of the applicant's request for final inspection. The Land Use Administrator may require a Certificate of Substantial Completion from a Professional Engineer or Class IIIB Surveyor before making a final inspection.

#### 9-8 ADMINISTRATIVE RESPONSIBILITY

Administration of the plan of development process shall be in accordance with the Richmond County Site Plan Ordinance or the Richmond County Subdivision Ordinance.

#### 9-9 DENIAL OF PLAN, APPEAL OF CONDITIONS OR MODIFICATIONS

In the event the final plan or any component of the plan of development process is disapproved and recommended conditions or modifications are unacceptable to the applicant, the applicant may appeal such administrative decision to the Richmond County Planning Commission. In granting an appeal the Planning Commission must find such plan to be in accordance with all applicable ordinances and include necessary elements to mitigate any detrimental impact on water quality and upon adjacent property and the surrounding area, or such plan meets the purpose and intent of the performance standards in this Ordinance. If the Planning Commission finds that the applicant's plan does not meet the above stated criteria, it shall deny approval of the plan.

ARTICLE 10: NONCONFORMING USE AND  
DEVELOPMENT WAIVERS

10-1 CONTINUATION OF LAWFUL USE

The lawful use of a building or structure which existed on the date of adoption of this Ordinance or which exists at the time of any amendment to this Ordinance, and which is not in conformity with the provisions of this Ordinance may be continued.

10-2 DEVELOPMENT WAIVER

No change or expansion of nonconforming use shall be allowed with the exception that:

10-2-1 The Land Use Administrator may grant a nonconforming use and development waiver for structures on legal nonconforming lots or parcels to provide for remodeling and alterations or additions to such nonconforming structures provided that:

- a. There will be no increase in nonpoint source pollution load;
- b. Any development or land disturbance exceeding an area of 2500 square feet complies with all requirements of the Richmond County Erosion and Sediment Control Ordinance.

10-2-2 An application for a nonconforming use and development waiver shall be made to and upon forms furnished by the Land Use Administrator and shall include for the purpose of proper enforcement of this Ordinance, the following information:

- a. Name and address of applicant and property owner;
- b. Legal description of the property (Tax Map and Parcel Number) and type of proposed use and development;
- c. A sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, and boundary of the Resource Protection Area;
- d. Location and description of any existing private water supply or sewage system.

10-2-3 A nonconforming use and development waiver shall become null and void twelve months from the date issued if no substantial work has commenced.

## ARTICLE 11: EXEMPTIONS

### 11-1 LOCAL UTILITY EXEMPTIONS

Construction, installation, and maintenance of water, sewer, and local gas lines shall be exempt from the provisions of this Ordinance provided that:

- a. To the degree possible, the location of such utilities and facilities shall be outside the RPA's;
- b. No more land shall be disturbed than is necessary to provide for the desired utility installation;
- c. All construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality; and
- d. Any land disturbance exceeding an area of 2,500 square feet complies with all Richmond County erosion and sediment control requirements.

### 11-2 EXEMPTIONS FOR SILVICULTURAL ACTIVITIES

Silvicultural activities are exempt from the requirements of this Ordinance provided that silvicultural operations adhere to water quality protection procedures prescribed by the Department of Forestry in its "Best Management Practices Handbook for Forestry Operations".

### 11-3 EXEMPTIONS IN RESOURCE PROTECTION AREAS

The following land disturbances in Resource Protection Areas may be exempted from this Ordinance: (1) water wells; (2) passive recreation facilities such as boardwalks, trails, and pathways; and (3) historic preservation and archaeological activities, provided that it is demonstrated to the satisfaction of the Land Use Administrator that:

- a. Any required permits, except those to which this exemption specifically applies, shall have been issued;
- b. Sufficient and reasonable proof is submitted that the intended use will not deteriorate water quality;
- c. The intended use does not conflict with nearby planned or approved uses; and
- d. Any land disturbance exceeding an area of 2,500 square feet shall comply with all Richmond County erosion and sediment control requirements.



## ARTICLE 12: EXCEPTIONS

### 12-1 REQUEST FOR EXCEPTION

A request for an exception to the requirements of this Ordinance shall be made in writing to the Land Use Administrator. It shall identify the impacts of the proposed exception on water quality and on lands within the RPA through the performance of a water quality impact assessment which complies with the provisions of Article 8 (Water Quality Impact Assessment) of this Ordinance.

### 12-2 EXCEPTION REVIEW

The Land Use Administrator shall review the request for an exception and the water quality impact assessment and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of this Ordinance if the Land Use Administrator finds:

- a. Granting the exception will not confer upon the applicant any special privileges that are denied by this Ordinance to other property owners of Richmond County;
- b. The exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;
- c. The exception request is the minimum necessary to afford relief;
- d. The exception request will be consistent with the purpose and intent of this Ordinance, and not injurious to the neighborhood or otherwise detrimental to the public welfare; and
- e. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

### 12-3 VARIANCE

If the Land Use Administrator cannot make the required findings or refuses to grant the exception, the Land Use Administrator shall return the request for an exception together with the water quality impact assessment and the written findings and rationale for the decision to the applicant, with a copy to the Board of Supervisors. The applicant may then apply to the Board of Supervisors for a variance.

### 12-4 BOARD OF SUPERVISORS RESPONSIBILITY

The Board of Supervisors shall consider the water quality impact assessment and the findings and rationale of the Land Use Administrator in determining consistency with the intended spirit and purpose of this Ordinance.

## ARTICLE 13: ENFORCEMENT

### 13-1 ENFORCEMENT PROCEDURES

If the Land Use Administrator shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Land Use Administrator shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. If such violation continues, the Land Use Administrator shall immediately notify the County Attorney of such violation.

The County Attorney shall immediately institute an appropriate action or proceeding in law or equity to prevent such violation, or to restrain, correct, or abate such violation.

### 13-2 ENFORCEMENT REMEDIES

In case any building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained, or used in violation of this Ordinance, the Land Use Administrator, with the assistance of the County Attorney, in addition to other remedies, may institute in the name of the County any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business, or use constituting a violation.

### 13-3 VIOLATION AND PENALTY

All departments, officials, and public employees of Richmond County which are vested with the duty and authority to issue permits, approve plans or conduct other activities to ensure compliance with this Ordinance shall conform to the provisions of this Ordinance. They shall issue permits, approve plans and conduct other activities that allow uses, buildings, or purposes only when they are in harmony with the provisions of this Ordinance. Any such permit or plan, if issued or approved in conflict with the provisions of this Ordinance, shall be null and void.

Any person, firm, or corporation, whether as principal, agent, employed or otherwise, violating, causing, or permitting the violation of any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00). Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Ordinance is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable as herein provided.

**ARTICLE 14: FEES, CHARGES, EXPENSES,  
AND REQUIRED MATERIALS**

The Richmond County Board of Supervisors shall establish a schedule of fees, charges, expenses, and required materials, and collection procedure for permits, certificates of occupancy, appeals, and other matters pertaining to this Ordinance. The schedule of fees, which is adopted by reference and declared to be a part of the Ordinance shall be posted in the Office of the Land Use Administrator, and may be altered or amended only by the Board of Supervisors. Sufficient fees shall be collected to cover the cost of making inspections, issuing permits, reviewing plans, advertising of notices, and other expenses incident to the administration of this Ordinance.

Until all applicable fees, charges, and expenses have been paid in full, and all required material has been submitted, no action shall be taken on any application or appeal.

